The opinion in support of the decision being entered today was <u>not</u> written for publication in a law journal and is <u>not</u> binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Ex parte Y. TOM TANG, NEIL C. CORLEY, GINA A. GORGONE, KARL J. GUEGLER, and MARIAH R. BAUGHN

Appeal No. 2005-0230 Application 09/830,914 MAY 1 6 2005

U.S. PATENT AND TRADEMARK OFFICE BOARD OF PATENT APPEALS AND INTERFERENCES

ORDER DISMISSING APPEAL

Before HARKCOM, Acting Chief Administrative Patent Judge, WILLIAM F. SMITH and ADAMS, Administrative Patent Judges.

Per curiam.

Appellants were given a period of one month to respond to the "ORDER UNDER 37 CFR § 41.50(d)" mailed on March 31, 2005. The order also stated that "[f]ailure to respond in a timely manner will result in <u>dismissal of the appeal</u>."

Since no response has been received, the case is dismissed.

The application is being returned to the examiner for further action as may be appropriate.

Gary/V. Harkcom, Acting Chief Administrative Patent Judge

William F. Smith

Administrative Patent Judge

BOARD OF PATENT

APPEALS AND

INTERFERENCES

Donald E. Adams Administrative Patent Judge

Incyte Genomics, Inc. Experimental Station Route 141 & Henry Clay Road Bldg. E336 Wilmington, DE 19880

dem